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4 BRIAN WHITAKER,
5 Plaintiffs,
6 v.
7 CALIFORNIA WINE MERCHANT INC.,
8 Defendants.
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10 Case No. [21-cv-08766-SI](#) (SI)
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13 **ORDER OF CONDITIONAL
DISMISSAL UPON NOTICE OF
SETTLEMENT**

14 The parties to the action, by their counsel, have advised the court that they have agreed to a
15 settlement.

16 IT IS HEREBY ORDERED that this matter is DISMISSED WITH PREJUDICE.
17 However, that if any party hereto certifies to this court, with proof of service of a copy thereon on
18 opposing counsel, within ninety days from the date hereof, that settlement has not in fact occurred,
19 the foregoing order shall be vacated and this cause shall forthwith be restored to the calendar for
further proceedings.

20 **IT IS SO ORDERED.**

21 sDated: December 13, 2022

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23 SUSAN ILLSTON
24 United States District Judge
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